

1 Counsel listed on next pages

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Philip Wong, Frederic Chaussy, and Leslie Marie Shearn, individually, on behalf of all others similarly situated, and on behalf of the general public,

Plaintiffs.

vs.

14 HSBC Mortgage Corporation (USA);
HSBC Bank USA, N.A.; and DOES 1
15 through 50, inclusive,

Defendants.

Case No.: 3:07-cv-2446 MMC

**JOINT NOTICE OF MOTION AND
MOTION TO EXTEND EARLY
NEUTRAL EVALUATION DEADLINE
(N.D. Cal. Local ADR Rule 5-5)**

Date: January 30, 2008
Judge: Hon. Maxine M. Chesney
Complaint Filed: June 29, 2007 (Amended)
Trial Date: None Yet Set

1 Donald H. Nichols, MN State Bar No. 78918
2 (admitted pro hac vice)
3 Paul J. Lukas, MN State Bar No. 22084X
4 (admitted pro hac vice)
5 Tim C. Selander, MN Bar No. 0387016
6 (admitted pro hac vice)
7 NICHOLS KASTER & ANDERSON, PLLP
8 4600 IDS Center
9 80 S. 8th Street
10 Minneapolis, MN 55402
11 Email: nichols@nka.com, lukas@nka.com, selander@nka.com

12 Bryan J. Schwartz, CA State Bar No. 209903
13 Matthew C. Helland, CA State Bar No. 250451
14 NICHOLS KASTER & ANDERSON, LLP
15 One Embarcadero Center, Ste. 720
16 San Francisco, CA 94111
17 schwartz@nka.com, helland@nka.com

18 Attorneys for Individual and Representative Plaintiffs

19 George J. Tichy, II, CA Bar No. 041146
20 Michelle R. Barrett, CA Bar No. 197280
21 Kimberly L. Owens, CA Bar No. 233185
22 Justin T. Curley, CA Bar No. 233287
23 LITTLER MENDELSON
24 A Professional Corporation
25 650 California Street, 20th Floor
26 San Francisco, CA 94108.2693
27 Telephone: 415.433.1940
28 Facsimile: 415.399.8490
E-mail: gtichy@littler.com, mbarrett@littler.com,
kowens@littler.com, jcurley@littler.com

19 Attorneys for Defendants
20 HSBC MORTGAGE CORPORATION (USA) and
21 HSBC BANK USA, N.A.

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1 PLEASE TAKE NOTICE that on January 30, 2008, Plaintiffs Philip Wong,
2 Frederic Chaussy, and Leslie Marie Shearn (collectively referred to as "Plaintiffs") and
3 Defendants HSBC Mortgage Corporation (USA) and HSBC Bank USA, N.A. (collectively
4 referred to as "Defendants") jointly request the United States District Court for the Northern
5 District of California, 450 Golden Gate Avenue, San Francisco, California 94102 to extend the
6 Early Neutral Evaluation deadline of January 31, 2008 to April 30, 2008, pursuant to Northern
7 District of California Local ADR Rule 5-5, Civil Local Rule 7-11, and Civil Local Rule 7-12.

8 The parties make this joint motion on the grounds that:

- 9 1. The parties have agreed, with the Early Neutral Evaluator's concurrence,
10 that additional discovery should be conducted related to Plaintiffs' claims
11 and Defendants' defenses, in order to make the ENE process more
12 meaningful; and
- 13 3. The parties have agreed, with the Early Neutral Evaluator's concurrence,
14 that the ENE process will be more meaningful if the parties have received a
15 ruling from the Court on Plaintiffs' Motion for Conditional Certification
16 under the Fair Labor Standards Act.

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1 The Motion will be based upon this Notice of Motion and Motion, the
2 Memorandum of Points and Authorities, the Joint Stipulation, and upon all the files, records and
3 proceedings herein.

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5 Dated: January 30, 2008

6 NICHOLS KASTER & ANDERSON, LLP

7

8 By: _____ /s/
9 PAUL J. LUKAS

10 Attorneys for Plaintiffs and Representative Plaintiffs

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Dated: January 30, 2008

12 LITTLER MENDELSON, PC

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14 By: _____ /s/
15 MICHELLE R. BARRETT

16 Attorneys for Defendants

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